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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 January 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☒ All　b)☐ Some *　c)☐ None of:

　　　1.☒ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date *01/31/2005*.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

Priority

1.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

Information Disclosure Statement

2.   The references listed in the Information Disclosure Statement filed on January 1,

2005 has been considered by the examiner (see attached PTO-1449 form).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   **Claims 1, 6, 9 and 10** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rodriguez et al. (U.S. Publication No. 2007/0136748) in view of

Rodriguez et al. (U.S. Publication No. 2002/0049978).

Regarding **claim 1**, Rodriguez et al. discloses a communication system

comprising a data processing apparatus (TV, 41) for receiving and processing data (see ·

paragraph 0045) and a data providing apparatus (headend 11) for providing data to said

data processing apparatus (see paragraph 0018, the headend provides television

signals to cable-ready television sets);

wherein said data processing apparatus includes (TV, 41):

button display controlling means for displaying first buttons (non-highlighted regions e.g, sisters, story of us, Thomas Crown Affair etc) representing executable functions in a first display format (see fig 5) while displaying second buttons (highlighted button e.g Titanic) representing optional functions in a second display format (see fig 5 and 8, when "Titanic" is clicked on, the options "add comments, play from beginning of movie" etc is displayed);

executing means for executing the function represented by any one of said first buttons in response to the applicable first button being operated on (see paragraph 0047, lines 9-21);

downloading means which, in response to a download request (see fig 8, "add comments, play from beginning of movie, play from current location") for software implementing the function represented by any one of said second buttons, downloads said software provided by said data processing apparatus (see fig 8, for example, when the option "play from current location" is selected, the signal is downloaded from the server and the viewer is able to continue viewing the video-on-demand (Titanic)); and

display updating means for updating the display of the second button representing the function implemented by execution of the downloaded software (see fig 8 (106) and paragraph 0064, lines 4-14), and

wherein said data providing apparatus includes (see fig 2, headend (11)):

software request receiving means for receiving said download request for said software from said data processing apparatus (see paragraph 0019, lines 10-16, the

MOD which is located in the headend receives the video-on-demand request from the users); and

software transmitting means for transmitting said software to said data processing apparatus in response to said download request for said software (see paragraph 0021, lines 12-24).

However, Rodriguez et al. fail to specifically disclose displaying the second button in question in said first display format.

Rodriguez et al. discloses displaying the second button (see figs 9 and 10 (Angela's Ashes) in question in said first display format (see figs 9 and 10 (Wedding singer, Wild things, Wild Wild West)) (see fig 11, in figs 9 and 10, the second button "Angela's Ashes" is still in the optional format and in fig 11, the second button "Angela's Ashes" is now in the first display format).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Rodriguez et al.'s invention with the above mentioned limitation as taught by Rodriguez et al. for the advantage of differentiating between the two buttons.

Regarding **claim 6**, Rodriguez et al. discloses a data processing apparatus (TV, 41) for receiving and processing data (see paragraph 0045) from a data providing apparatus (headend 11) (see paragraph 0018, the headend provides television signals to cable-ready television sets), said data processing apparatus (TV, 41) comprising:

button display controlling means for displaying first buttons (non-highlighted regions e.g, sisters, story of us, Thomas Crown Affair etc) representing executable functions in a first display format (see fig 5) while displaying second buttons (highlighted button e.g Titanic) representing optional functions in a second display format (see fig 5 and 8, when "Titanic" is clicked on, the options "add comments, play from beginning of movie" etc is displayed);

executing means for executing the function represented by any one of said first buttons in response to the applicable first button being operated on (see paragraph 0047, lines 9-21);

downloading means which, in response to a download request (see fig 8, "add comments, play from beginning of movie, play from current location") for software implementing the function represented by any one of said second buttons, downloads said software provided by said data processing apparatus (see fig 8, for example, when the option "play from current location" is selected, the signal is downloaded from the server and the viewer is able to continue viewing the video-on-demand (Titanic)); and

display updating means for updating the display of the second button representing the function implemented by execution of the downloaded software (see fig 8 (106) and paragraph 0064, lines 4-14).

However, Rodriguez et al. fail to specifically disclose displaying the second button in question in said first display format.

Rodriguez et al. discloses displaying the second button (see figs 9 and 10 (Angela's Ashes) in question in said first display format (see figs 9 and 10 (Wedding

singer, Wild things, Wild Wild West)) (see fig 11, in figs 9 and 10, the second button

"Angela's Ashes" is still in the optional format and in fig 11, the second button "Angela's

Ashes" is now in the first display format).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Rodriguez et al.'s invention with the above

mentioned limitation as taught by Rodriguez et al. for the advantage of differentiating

between the two buttons.

Regarding **claim 9**, Rodriguez et al. discloses a data processing method (TV, 41)

for receiving and processing data (see paragraph 0045) from a data providing

apparatus (headend, 11) (see paragraph 0018, the headend provides television signals

to cable-ready television sets), said data processing method (TV, 41) comprising the

steps of:

displaying first buttons (non-highlighted regions e.g, sisters, story of us, Thomas

Crown Affair etc) representing executable functions in a first display format (see fig 5)

while displaying second buttons (highlighted button e.g Titanic) representing optional

functions in a second display format (see fig 5 and 8, when "Titanic" is clicked on, the

options "add comments, play from beginning of movie" etc is displayed);

executing the function represented by any one of said first buttons in response to

the applicable first button being operated on (see paragraph 0047, lines 9-21);

in response to a download request (see fig 8, "add comments, play from

beginning of movie, play from current location") for software implementing the function

represented by any one of said second buttons, downloading said software provided by

said data providing apparatus (see fig 8, for example, when the option "play from

current location" is selected, the signal is downloaded from the server and the viewer is

able to continue viewing the video-on-demand (Titanic)); and

updating the display of the second button representing the function implemented

by execution of the downloaded software (see fig 8 (106) and paragraph 0064, lines 4-

14).

However, Rodriguez et al. fail to specifically disclose displaying the second

button in question in said first display format.

Rodriguez et al. discloses displaying the second button (see figs 9 and 10

(Angela's Ashes) in question in said first display format (see figs 9 and 10 (Wedding

singer, Wild things, Wild Wild West)) (see fig 11, in figs 9 and 10, the second button

"Angela's Ashes" is still in the optional format and in fig 11, the second button "Angela's

Ashes" is now in the first display format).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Rodriguez et al.'s invention with the above

mentioned limitation as taught by Rodriguez et al. for the advantage of differentiating

between the two buttons.

Regarding **claim 10**, Rodriguez et al. discloses a program for causing a

computer (TV, 41) to receive and process data (see paragraph 0045) from a data

providing apparatus (headend (11)) (see paragraph 0018, the headend provides

television signals to cable-ready television sets), said program comprising the steps of:

displaying first buttons (non-highlighted regions e.g, sisters, story of us, Thomas

Crown Affair etc) representing executable functions in a first display format (see fig 5)

while displaying second buttons (highlighted button e.g Titanic) representing optional

functions in a second display format (see fig 5 and 8, when "Titanic" is clicked on, the

options "add comments, play from beginning of movie" etc is displayed);

executing the function represented by any one of said first buttons in response to

the applicable first button being operated on (see paragraph 0047, lines 9-21);

in response to a download request (see fig 8, "add comments, play from

beginning of movie, play from current location") for software implementing the function

represented by any one of said second buttons, downloading said software provided by

said data providing apparatus (see fig 8, for example, when the option "play from

current location" is selected, the signal is downloaded from the server and the viewer is

able to continue viewing the video-on-demand (Titanic)); and

updating the display of the second button representing the function implemented

by execution of the downloaded software (see fig 8 (106) and paragraph 0064, lines 4-

14).

However, Rodriguez et al. fail to specifically disclose displaying the second

button in question in said first display format.

Rodriguez et al. discloses displaying the second button (see figs 9 and 10

(Angela's Ashes) in question in said first display format (see figs 9 and 10 (Wedding

singer, Wild things, Wild Wild West)) (see fig 11, in figs 9 and 10, the second button "Angela's Ashes" is still in the optional format and in fig 11, the second button "Angela's Ashes" is now in the first display format).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Rodriguez et al.'s invention with the above mentioned limitation as taught by Rodriguez et al. for the advantage of differentiating between the two buttons.

5.   **Claims 2 and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodriguez et al. (U.S. Publication No. 2007/0136748) and Rodriguez et al. (U.S. Publication No. 2002/0049978) as applied to *claims 1 and 6* above, and further in view of Lin et al. (U.S. Patent No. 7,099,561).

Regarding **claims 2 and 7**, Rodriguez et al. and Rodriguez et al. discloses everything claimed as applied above (*see claims 1 and 6*).

Rodriguez et al. (20070136748) discloses a communication system wherein said data providing apparatus (see fig 2 (11)).

However, Rodriguez et al. and Rodriguez et al. fail to specifically disclose new function information transmitting means which, if there exists software for executing any new function, transmits information about said new function to said data processing apparatus; and

wherein said data processing apparatus further comprises new button display

controlling means for displaying a new second button representing said new function

corresponding to the new function information.

Lin et al. discloses new function information transmitting means which, if there

exists software for executing any new function, transmits information about said new

function to said data processing apparatus (see col. 7, lines 16-23); and

wherein said data processing apparatus further comprises new button display

controlling means for displaying a new second button representing said new function

corresponding to the new function information (see col. 6, lines 38-53).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Rodriguez et al. and Rodriguez et al.'s

invention with the above mentioned limitation as taught by Lin et al. for the advantage of

recognizing newly added content.

6.   **Claims 3 and 4** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Rodriguez et al. (U.S. Publication No. 2007/0136748) and Rodriguez et al. (U.S.

Publication No. 2002/0049978) as applied to *claim 1* above, and further in view of De

Vos et al. (U.S. Patent No. 6,760,917).

Regarding **claim 3**, Rodriguez et al. and Rodriguez et al. discloses everything

claimed as applied above (*see claim 1*).

However, Rodriguez et al. and Rodriguez et al. fail to specifically disclose

wherein said data providing apparatus further comprises download history creating

means for creating a download history regarding said software downloaded by said data

processing apparatus.

De Vos et al. discloses data providing apparatus (system manager, 60) further

comprises download history creating means for creating a download history regarding

said software downloaded by said data processing apparatus (set top box, 40) (see col.

6, lines 23-37).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Rodriguez et al. and Rodriguez et al.'s

invention with the above mentioned limitation as taught by De Vos et al. for the

advantage of keeping an inventory of how many video-on demand contents have been

distributed to viewers.

Regarding **claim 4**, Rodriguez et al., Rodriguez et al. and De Vos et al. discloses

everything claimed as applied above (*see claim 3*).

Rodriguez et al. (2007/0136748) discloses a communication system wherein said

data providing apparatus further comprises charging means for charging for the

downloaded software in keeping with said download history regarding said software

transmitted to said data processing apparatus (see fig 6 (111, 112, 113) and paragraph

0048).

7.   **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Rodriguez et al. (U.S. Publication No. 2007/0136748) and Rodriguez et al. (U.S.

Publication No. 2002/0049978) as applied to *claim 3* above, and further in view of De

Vos et al. (U.S. Patent No. 6,760,917) and Schlarb et al. (U. S. Patent No. 6,243,145).

Regarding **claim 5,** Rodriguez et al., Rodriguez et al. and De Vos et al.

discloses everything claimed as applied above (*see claim 3*).

Rodriguez et al. (2007/0136748) discloses a communication system wherein said

data providing apparatus (see fig 2 (11)).

However, Rodriguez et al., Rodriguez et al. and De Vos et al. fail to specifically

disclose a category recognizing means for recognizing a category of the software

downloaded by said data processing apparatus with high frequency based on said

download history; and

user-oriented information transmitting means for transmitting user-oriented

information belonging to said category recognized by said category recognizing means;

and

wherein said data processing apparatus further comprises user-oriented

information display controlling means for displaying said user-oriented information.

Schlarb et al. discloses a category recognizing means for recognizing a category

of the software downloaded by said data processing apparatus with high frequency

based on said download history (see fig 8 and col. 4, lines 54-col. 5, line 10, fig 8 shows

a tv screen with a category section provided by the headend); and

user-oriented information transmitting means for transmitting user-oriented

information belonging to said category recognized by said category recognizing means

(see fig 8 and col. 5, lines 4-10, when a user selects a category of sports, sports

information is transmitted to the user); and

wherein said data processing apparatus further comprises user-oriented

information display controlling means for displaying said user-oriented information (see

fig 9, when a user selects a sports category, sports information is displayed on the

user's television screen).

Therefore, it would have been obvious for a person of ordinary skill in the art at

the time the invention was made to modify Rodriguez et al., Rodriguez et al. and De

Vos et al.'s invention with the above mentioned limitation as taught by Schlarb et al. for

the advantage of providing different kinds of program to the user.

8.   **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Rodriguez et al. (U.S. Publication No. 2007/0136748) and Rodriguez et al. (U.S.

Publication No. 2002/0049978) as applied to *claim 6* above, and further in view of

Schlarb et al. (U. S. Patent No. 6,243,145).

Regarding **claim 8,** Rodriguez et al. and Rodriguez et al. discloses everything

claimed as applied above (*see claim 6*).

Rodriguez et al. (2007/0136748) discloses a communication system wherein said

data providing apparatus (see fig 2 (11)).

However, Rodriguez et al. and Rodriguez et al. fail to specifically disclose a

category recognizing means for recognizing a category of the software downloaded by

said data processing apparatus with high frequency based on said download history; and

user-oriented information transmitting means for transmitting user-oriented information belonging to said category recognized by said category recognizing means; and

wherein said data processing apparatus further comprises user-oriented information display controlling means for displaying said user-oriented information.

Schlarb et al. discloses a category recognizing means for recognizing a category of the software downloaded by said data processing apparatus with high frequency based on said download history (see fig 8 and col. 4, lines 54-col. 5, line 10, fig 8 shows a tv screen with a category section provided by the headend); and

user-oriented information transmitting means for transmitting user-oriented information belonging to said category recognized by said category recognizing means (see fig 8 and col. 5, lines 4-10, when a user selects a category of sports, sports information is transmitted to the user); and

wherein said data processing apparatus further comprises user-oriented information display controlling means for displaying said user-oriented information (see fig 9, when a user selects a sports category, sports information is displayed on the user's television screen).

Therefore, it would have been obvious for a person of ordinary skill in the art at the time the invention was made to modify Rodriguez et al. and Rodriguez et al.'s

invention with the above mentioned limitation as taught by Schlarb et al. for the

advantage of providing different kinds of program to the user.

9.   **Claims 11, 12, 15 and 16** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Rodriguez et al. (U.S. Publication No. 2007/0136748) in view of De

Vos et al. (U.S. Patent No. 6,760,917).

Regarding **claim 11**, Rodriguez et al. discloses a data providing apparatus (see

fig 2 (11)) (see paragraph 0018, the headend provides television signals to cable-ready

television sets) for providing data to a data processing apparatus which receives and

processes said data, said data providing apparatus comprising:

software request receiving means for receiving a download request for said

software from said data processing apparatus (see paragraph 0019, lines 10-16, the

MOD which is located in the headend receives the video-on-demand request from the

users);

software transmitting means for transmitting said software to said data

processing apparatus in response to said download request for said software (see

paragraph 0021, lines 12-24),

processing means for performing (see fig 2 (23, DNCS)) a relevant process in

keeping (complete management) with said download history (see paragraph 0020, lines

1-3).

However, Rodriguez et al. fails to specifically disclose download history creating

means for creating a download history regarding said software downloaded by said data

processing apparatus; and processing means for performing a relevant process in keeping with said download history.

De Vos et al. discloses download history creating means for creating a download history regarding said software downloaded by said data processing apparatus (set top box, 40) (see col. 6, lines 23-37).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Rodriguez et al.'s invention with the above mentioned limitation as taught by De Vos et al. for the advantage of keeping an inventory of how many video-on demand contents have been distributed to viewers.

Regarding **claim 12**, Rodriguez et al. and De Vos et al. discloses everything claimed as applied above (*see claim 11*).

Rodriguez et al. discloses a communication system wherein said data providing apparatus further comprises charging means for charging for the downloaded software in keeping with said download history regarding said software transmitted to said data processing apparatus (see fig 6 (111, 112, 113) and paragraph 0048).

Regarding **claim 15**, Rodriguez et al. discloses a data providing method (see fig 2 (11)) (see paragraph 0018, the headend provides television signals to cable-ready television sets) for providing data to a data processing apparatus which receives and processes said data, said data providing method comprising the steps of:

receiving a download request for said software from said data processing

apparatus (see paragraph 0019, lines 10-16, the MOD which is located in the headend

receives the video-on-demand request from the users);

transmitting said software to said data processing apparatus in response to said

download request for said software (see paragraph 0021, lines 12-24),

processing means for performing (see fig 2 (23, DNCS)) a relevant process in

keeping (complete management) with said download history (see paragraph 0020, lines

1-3).

However, Rodriguez et al. fails to specifically disclose creating a download

history regarding said software downloaded by said data processing apparatus; and

performing a relevant process in keeping with said download history.

De Vos et al. discloses creating a download history regarding said software

downloaded by said data processing apparatus (see col. 6, lines 23-37); and

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Rodriguez et al.'s invention with the above

mentioned limitation as taught by De Vos et al. for the advantage of keeping an

inventory of how many video-on demand contents have been distributed to viewers.

Regarding **claim 16**, a program for causing a computer to provide data to a data

processing apparatus which receives and processes said data, said program

comprising the steps of (see paragraph 0045):

receiving a download request for software from said data processing apparatus

(see paragraph 0019, lines 10-16, the MOD which is located in the headend receives

the video-on-demand request from the users);

transmitting said software to said data processing apparatus in response to said

download request for said software (see paragraph 0021, lines 12-24)

processing means for performing (see fig 2 (23, DNCS)) a relevant process in

keeping (complete management) with said download history (see paragraph 0020, lines

1-3).

However, Rodriguez et al. fails to specifically disclose creating a download

history regarding said software downloaded by said data processing apparatus; and

performing a relevant process in keeping with said download history.

De Vos et al. discloses creating a download history regarding said software

downloaded by said data processing apparatus (see col. 6, lines 23-37); and

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to modify Rodriguez et al.'s invention with the above

mentioned limitation as taught by De Vos et al. for the advantage of keeping an

inventory of how many video-on demand contents have been distributed to viewers.

10.   **Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Rodriguez et al. (U.S. Publication No. 2007/0136748) and De Vos et al. (U.S. Patent

No. 6,760,917) as applied to *claim 11* above, and further in view of and Schlarb et al.

Regarding **claim 13,** Rodriguez et al. and De Vos et al. discloses everything

claimed as applied above (*see claim 11*).

Rodriguez et al. discloses a communication system wherein said data providing

apparatus (see fig 2 (11)).

However, Rodriguez et al. and De Vos et al. fails to specifically disclose a

category recognizing means for recognizing a category of the software downloaded by

said data processing apparatus with high frequency based on said download history;

and

user-oriented information transmitting means for transmitting user-oriented

information belonging to said category recognized by said category recognizing means;

and

wherein said data processing apparatus further comprises user-oriented

information display controlling means for displaying said user-oriented information.

Schlarb et al. discloses a category recognizing means for recognizing a category

of the software downloaded by said data processing apparatus with high frequency

based on said download history (see fig 8 and col. 4, lines 54-col. 5, line 10, fig 8 shows

a tv screen with a category section provided by the headend); and

user-oriented information transmitting means for transmitting user-oriented

information belonging to said category recognized by said category recognizing means

(see fig 8 and col. 5, lines 4-10, when a user selects a category of sports, sports

information is transmitted to the user); and

wherein said data processing apparatus further comprises user-oriented

information display controlling means for displaying said user-oriented information (see

fig 9, when a user selects a sports category, sports information is displayed on the

user's television screen).

Therefore, it would have been obvious for a person of ordinary skill in the art at

the time the invention was made to modify Rodriguez et al. and De Vos et al.'s invention

with the above mentioned limitation as taught by Schlarb et al. for the advantage of

providing different kinds of program to the user.

11.   **Claim 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Rodriguez et al. (U.S. Publication No. 2007/0136748) and De Vos et al. (U.S. Patent

No. 6,760,917) as applied to *claim 14* above, and further in view of Lin et al. (U.S.

Patent No. 7,099,561).

Regarding **claim 14**, Rodriguez et al. and De Vos et al. discloses everything

claimed as applied above (*see claim 14*).

Rodriguez et al. (20070136748) discloses a communication system wherein said

data providing apparatus (see fig 2 (11)).

However, Rodriguez et al. and De Vos et al. fail to specifically disclose new

function information transmitting means which, if there exists software for executing any

new function, transmits information about said new function to said data processing

apparatus; and

wherein said data processing apparatus further comprises new button display controlling means for displaying a new second button representing said new function corresponding to the new function information.

Lin et al. discloses new function information transmitting means which, if there exists software for executing any new function, transmits information about said new function to said data processing apparatus (see col. 7, lines 16-23); and

wherein said data processing apparatus further comprises new button display controlling means for displaying a new second button representing said new function corresponding to the new function information (see col. 6, lines 38-53).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Rodriguez et al. and De Vos et al.'s invention with the above mentioned limitation as taught by Lin et al. for the advantage of recognizing newly added content.

Citation of Pertinent Prior Art

12.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dunn et al. (U.S. Patent No. 5,721,829) discloses requesting and transmitting Video On Demand services to subscribers.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nnenna N. Ekpo whose telephone number is 571-270-

1663. The examiner can normally be reached on Monday - Friday 7:30 AM-5:00 PM

EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NNE/nne
January 10, 2008

BRIAN PENDLETON
SUPERVISORY PATENT EXAMINER